

|  |   |
|--|---|
| <p>CITY OF GERALDTON-GREENOUGH</p> <p><b>HERITAGE CONSERVATION &amp; DEVELOPMENT</b></p> <p><b>Local Planning Policy</b></p> | <p>Version; 2</p> <p>Originated Date; 8<sup>th</sup> December 2008</p> <p>Review Date; Annually</p> |
|--|---|

**HERITAGE CONSERVATION & DEVELOPMENT**  
**Local Planning Policy**

- 1.0 PURPOSE
- 2.0 SCOPE
- 3.0 OBJECTIVE
- 4.0 POLICY STATEMENT
  - 4.1 Development Control Principles
  - 4.2 Incentives
  - 4.3 Application Requirements
  - 4.4 Consultation
- 5.0 REFERENCE
- 6.0 RESPONSIBILITIES
- 7.0 ADOPTION

**1.0 PURPOSE:**

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

**2.0 SCOPE:**

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

**3.0 OBJECTIVE:**

- 3.1 To conserve and protect places of cultural heritage significance.
- 3.2 To ensure development does not adversely affect the significance of heritage places.
- 3.3 To ensure that sufficient information is provided to enable the local government to make informed decisions.
- 3.3 To ensure that heritage significance is given due weight in local planning decision making.
- 3.4 To guarantee that where a development is approved which involves the demolition of a heritage building, that development is actually constructed.

#### **4.0 POLICY STATEMENT:**

##### **4.1 Development Control Principles**

In considering any applications in relation to a place on the local government's Inventory (commonly known as the Municipal Inventory), the local government will apply and have regard to:

- a. The development control principles set out in the *State Planning Policy 3.5 Historic Heritage Conservation*;
- b. The structural condition of a place, and whether a place is reasonably capable of conservation;
- c. The level of heritage significance of a place; and
- d. The advice received from the Regional Heritage Advisor.

##### **4.2 Incentives**

4.2.1 The City's Town Planning Schemes contain clauses that allow the variation of any provision of the Scheme where its objective is to ensure the conservation of a heritage place. This provision gives the City considerable freedom to negotiate a suitable heritage outcome with property owners. It not only benefits the property owner but also the community as a heritage place can be conserved and the development potential realised through collaborative and creative planning.

4.2.2 The Heritage Loan Subsidy Scheme has been developed to assist owners of heritage places with funds to undertake conservation works. The scheme makes conserving places of heritage significance easier and more affordable by offering a subsidy (currently set at 4%) on the interest rate on loans for conservation work. Owners of places listed in a local government's Municipal Inventory, State Government's Register of Heritage Places, Commonwealth's Register of National Estate, or National List, or National Trust's List of Classified Places, within participating local government areas are eligible to apply. Participating local governments include the City of Geraldton-Greenough. For more information about the scheme call the Heritage Council of WA on (08) 9221 4177 or 1800 644 177 (free call).

##### **4.3 Application Requirements**

The local government may require an applicant to provide one or more of the following to assist the local government in determining the application. This is additional to the information required under the relevant Town Planning Scheme.

**4.3.1** Heritage Impact Statement (HIS)

4.3.1.1 If a proposal will have a substantial impact on the exterior fabric of a place on the local government's Inventory, the local government may require a 'Heritage Impact Statement' (HIS) to be submitted addressing three main questions:

- a. How will the proposed works affect the significance of the place or area?
- b. What measures (if any) are proposed to ameliorate any adverse impacts?
- c. Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

Reference should be made to the Heritage Council's publication "Heritage Impact Statements – a guide" for an example/model HIS.

4.3.1.2 If a proposal affects a place that is entered in the State Register of Heritage Places, or a large or complex place of exceptional significance, the local government may require a conservation plan to be prepared.

**4.3.2** Structural Condition Assessment (in the case of demolition)

If structural failure is cited as a justification for the demolition of a place in the local government's Inventory, evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

**4.3.3** Archival Recording (in the case of demolition)

If a proposal is for the demolition or the substantial redevelopment of a place in the local government's Inventory, the local government may require, as a condition of approval, the preparation of an archival record of the place, prior to demolition or commencement of development.

**4.3.4** Redevelopment Plans (in the case of demolition)

4.3.4.1 If a proposal is for the demolition of a place in the local government's Inventory, the local government may require details of the proposed future development/use of the site to be submitted. Information required may include a redevelopment site plan, floor plan(s), elevations and accompanying details on the proposed development/use together with reference to suggested interpretive outcomes which reflect the history of the site.

4.3.4.2 Additionally, the local government may require that, prior to granting approval for the demolition of a place in the local government's Inventory, the proponent must have obtained a planning approval for the future development/use of the site.

- 4.3.4.3 Depending on the nature of the proposal and the significance of the place, the approval for the demolition of a place in the local government's Inventory may be subject to the following condition:

*"The development approved (the "New Development") must be constructed by no later than 2 years following the date of approval of the demolition licence. Prior to the issue of a demolition licence, the owner is to obtain a building licence for the New Development and shall enter into a deed with the local government (prepared by the local government at the owner's cost) which shall include provisions:*

- a. prohibiting any other development on the land until the New Development is completed;*
- b. confirming that the owner shall carry out the New Development as required by this condition;*
- c. requiring the owner to provide a signed building construction contract for the New Development to the local government within a stipulated time; and*
- d. charging the land in favour of the local government and authorising the local government to lodge an absolute caveat against the certificate of title to the land in order to secure the owner's obligations and to ensure any purchaser of the land enters into a similar deed."*

#### **4.4 Consultation**

The Heritage Council of Western Australia provides a regional heritage advisory service to people involved in conserving heritage places in WA. The role of the regional heritage advisers is to provide information and advice on heritage assessments, conservation, funding applications and planning and development applications. For more information about the service call the Heritage Council of WA on (08) 9221 4177 or 1800 644 177 (free call).

#### **5.0 REFERENCE:**

The City of Geraldton-Greenough Town Planning Scheme(s) and the Planning & Development Act 2005.

#### **6.0 RESPONSIBILITIES:**

The Town Planning Department as per the Delegations Policy and Register and further authority is delegated to the Chief Executive Officer for additional information as per Clause 4.3.

#### **7.0 ADOPTION:**

|           |                                  |                                |
|-----------|----------------------------------|--------------------------------|
| Version 1 | (draft for advertising)          | 8 <sup>th</sup> July 2008      |
|           | (final – no objections received) | 8 <sup>th</sup> July 2008      |
| Version 2 | (draft for advertising)          | 23 <sup>rd</sup> December 2008 |